



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TECHNOLOGY, MANAGEMENT & BUDGET
LANSING

DAVID L. DEVRIES
DIRECTOR

MINUTES

Electronic Recording Commission

November 13, 2017
Vehicle and Travel Services Building
6951 Crowner Dr., Lansing, Michigan.

Board Members Present: Sherri Irwin (David DeVries's designee); Lori Jarvis, Donna Krall, Chair Christian Meyer, Thomas Richardson, Justin Roebuck, Michelle Stevenson and Lori Wilson.

Also in attendance: Jerome Czaja, Chief Deputy Register; Kent County; Rachel Sanchez, Chief Deputy Register, Ottawa County; and Deborah Stevens, Recording Secretary.

- I. CALL TO ORDER. The meeting was called to order by the Chair C. Meyer at 10:00 a.m. A quorum was present.

Motion: to accept the agenda as presented

Moved: J. Roebuck

Second: T. Richardson

Passed: Unanimously

Introductions were made. The expiring terms was discussed, and staff will contact the Appointment Office for a status report.

- II. APPROVAL OF MINUTES.

Motion: to approve the minutes of October 24, 2016.

Moved: M. Stevenson

Second: T. Richardson

Passed: Unanimously

- II. ELECTION OF DEPUTY CHAIR

Michelle Stevenson was nominated as deputy chair.

Motion: to elect Michelle Stevenson as Deputy Chair, effective immediately

Moved: T. Richardson

Second: J. Roebuck

Passed: Unanimously

- IV. AMENDMENT OF BYLAWS

In 2015, the Uniform Real Property Record Act was amended the change the Commission's required meeting frequency from quarterly to annually. The Commission bylaws still reflect the quarterly frequency.

Motion: to refer the issue to the Attorney General's office for review of best practices

Moved: T. Richardson

Second: J. Roebuck

V. REMOTE NOTARY AND APPLICABILITY TO MICHIGAN DOCUMENTS

T. Richardson noted that remote notary will require additional legislation in Michigan as remote notarization differs from e-notarization. The Michigan Secretary of State is supporting a bill that would amend the Michigan Notary Public Act to allow e-notarization. The American Land Title Association has developed a draft model for remote online notarization.

Issues discussed that could have an impact included observations that the technology doesn't always reflect rules and laws, involuntary and adjustment liens, the definition of what an "original" is, and whether remote notary used in another state would be legal in Michigan.

Commission members were encouraged to share information with their professional organizations and obtain comment.

VI. REVIEW OF STANDARDS

The current standards for e-recording primarily relate to technology and no significant changes have occurred. Several registers on the Commission has been involved with the Property Records Industry Association (PRIA); and Michigan's standards reflect PRIA's electronic recording standards. Other issues identified were that not all counties participate in e-recording, that documents are not always being submitted from originals, and that not all counties accept the constitutional authority to follow the standards.

Motion: that the Commission members will review the electronic recording standards with their respective communities over the next year in order to gather information on any changes that may be needed.

Moved: D. Krall

Second: L. Jarvis

VII. ADJOURNMENT.

The Chair adjourned the meeting at 11:36 a.m.

Respectfully submitted:



Deborah A. Stevens, Recording Secretary